

ATTORNEY'S DOCKET NO: C1039/7042

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krieg et al.  
Serial No: Unassigned  
Filed: Herewith  
For: METHODS FOR TREATING AND PREVENTING  
INFECTIOUS DISEASE  
Examiner: Not Yet Assigned  
Art Unit: 1635

#3 '02  
4/21/01

JCE13 U.S. PTO  
09/630319  
07/31/00

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to the Box Patent Application, Commissioner for Patents, Washington, D.C. 20231, on the 31<sup>st</sup> day of July, 2000.

Helen C. Lockhart

BOX PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the  
Applicants request consideration of this Information Disclosure Statement.

**Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed on even date with the above-identified  
patent application.

No fee or certification is required.

**Information Cited**

The Applicants hereby make of record in the above-identified application the  
information listed on the attached form PTO-1449 (modified). The order of presentation of the  
references should not be construed as an indication of the importance of the references.

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,



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Docket No. **C1039/7042**  
Dated: July 31, 2000  
**XNDD**

The Applicants hereby make the following additional information of record in the above-identified application:

The following are related pending U.S. non-provisional applications which do not appear on the 1449 form.

<u>Serial No.</u>	<u>Filing Date</u>
08/386,063	02/07/95
08/738,652	10/30/96
08/960,774	10/30/97
09/030,701	02/25/98
09/082,649	05/20/98
09/146,072	09/02/98
09/154,614	09/16/98
09/191,170	11/13/98
09/241,653	02/02/99
09/286,098	04/02/99
09/306,281	05/06/99
09/316,199	05/21/99
09/325,193	06/03/99
09/337,619	06/21/99
09/337,893	06/21/99
09/337,636	06/21/99
09/337,582	06/21/99
09/355,254	07/23/99
09/361,575	07/27/99
09/415,142	10/09/99
09/559,140	04/27/00

The following are related PCT Publications, published after the priority date (copies were provided in priority application):

WO 98/37919	09/03/98
WO 98/18810	05/07/98
WO 98/40100	09/17/98
WO 98/52581	11/26/98

A related divisional application, entitled "METHODS FOR TREATING AND PREVENTING DISEASE IN NON-HUMAN ANIMALS" was filed on even date.

#### Remarks

A copy of each of the above-identified information is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;